

4626.0435 FOOD LABELS. 3-602.11

A. Food packaged in a food establishment must be labeled as specified in law, including Code of Federal Regulations, title 21, part 101, and Code of Federal Regulations, title 9, part 317.

B. Label information must include:

(1) the common name of the food, or absent a common name, an adequately descriptive identity statement;

(2) if made from two or more ingredients, a list of ingredients and subingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food;

(3) an accurate declaration of the quantity of contents;

(4) the name and place of business of the manufacturer, packer, or distributor;

(5) the name of the food source for each major food allergen contained in the food unless the food source is already part of the common or usual name of the respective ingredient;^{p2}

(6) except as exempted under United States Code, title 21, section 343(q)(3) to (5), nutrition labeling that includes information specified in Code of Federal Regulations, title 21, part 101, and Code of Federal Regulations, title 9, part 317, subpart B; and

(7) for any salmonid fish containing canthaxanthin or astaxanthin as a color additive, the labeling of the bulk fish container, including a list of ingredients, displayed on the retail container or by other written means, such as a counter card, and must disclose the use of canthaxanthin or astaxanthin.

C. Bulk food that is available for consumer self-dispensing must be prominently labeled with the following information in plain view of the consumer:

(1) the manufacturer's or processor's label that was provided with the food; or

(2) a card, sign, or other method of notification that includes the information in item B, subitems (1), (2), and (6).

D. Bulk, unpackaged foods such as bakery products and unpackaged foods that are portioned to consumer specification need not be labeled if:

(1) a health, nutrient content, or other claim is not made;

(2) labeling is not required under parts 1520.1600 and 1545.0810 to 1545.0880, chapter 1550, and Minnesota Statutes, section 31.82; and

(3) the food is manufactured or prepared on the premises of the food establishment or at another food establishment or a food processing plant that is owned by the same person and is regulated by the food regulatory agency that has jurisdiction.

Statutory Authority: *MS s 31.101; 31.11; 144.05; 144.07; 144.08; 144.12; 157.011*

History: 23 SR 519; 43 SR 295

Published Electronically: *January 2, 2019*